

901
DECLARATION
OF THE
FRIENDS
OF THE
LIBERTY OF THE PRESS;

ASSEMBLED AT THE
CROWN AND ANCHOR TAVERN,

Saturday, January 19, 1793.

WRITTEN BY THE
Hon. THOMAS ERSKINE;

To which is added the other Proceedings of the Day.

THE SECOND EDITION CORRECTED.

LONDON:

PRINTED FOR J. RIDGWAY, YORK-STREET, ST.
JAMES'S-SQUARE, AND H. D. SYMONDS,
PATER-NOSTER-ROW.

(Price Fourpence, or One Hundred 24 Shillings.)

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LIBERTY of the PRESS, &c.

MR. ERSKINE, who presided, said that though he did not care for calumny and misrepresentation, as far as it affected himself personally, which he took it for granted was the case with every Gentleman present; yet, as far as it affected the great object for which they were assembled it was of the greatest importance to the Public: that he should, therefore, to render misrepresentation utterly impossible, read what he had to say from a paper, which he had written.

Mr. ERSKINE then read the following Paper:

“ The peculiar excellence of the English Constitution, in which indeed the value of every Government may be summed up, is, that it creates an equal rule of action for the whole Nation, and an impartial administration of justice under it.

“ From these master principles results that happy, unsuspecting, and unsuspected freedom, which for ages has distinguished Society in England, and which has united Englishmen in an enthusiasm for their Country, and a reverence for their Laws.

" To maintain this fearless tranquillity of human life, the prime blessing of Social Union, the power of accusation was not given to *uninjured* individuals, much less to *voluntary, undefined, unauthorised* Associations of Men, acting without responsibility, and open to irregular and private motives of action; but was conferred upon the Supreme Executive Magistrate, as more likely to look down upon the Mass of the Community with an unimpassioned eye; and even that wisely placed trust, guarded and bridled by the personal responsibility of those Officers by which the Crown is obliged to exercise its authority, and in the higher order of crimes, (which on principle should extend to all,) guarded once again by the office of the Grand Jury, interposed as a shield between the People and the very Laws enacted by themselves.

" These admirable provisions appear to be founded in a deep acquaintance with the principles of Society, and to be attended with the most important benefits to the Public; because, tempered again, and finally with the Trial by the Country, they enable the English Constitution to ratify the existence of a *strong, hereditary, executive* Government, consistently with the security of popular freedom.

" By this arrangement of the Royal Prerogative of Accusation, so restrained and mitigated in its course, the Crown becomes an object of wholesome, but not dangerous jealousy; which, while it prevents it from overstepping its Constitutional limits, endears the People to one another from a sense of the necessity of union amongst themselves, for the preservation of their privileges against a power dangerous to remove, but equally dangerous to exist, unobserved and unbalanced.

" Under this system, making allowance for the vices and errors inseparable from humanity, State accusations, in modern times, though sometimes erroneous, have not often been rash or malevolent, and the Criminal under the weight of the firm hand of Justice has been supported by the indulgent fraternal Tribunal of his Country.

" But under the circumstances which assemble us together, all these provisions appear to be endangered.

" A sudden

" A sudden alarm has been spread through the Kingdom by the Ministers of the Crown, of imminent danger to the Constitution, and to all Order and Government. The Nation has been represented to be fermenting into Sedition and Insurrection, through the dangerous Associations and Writings of disaffected and alienated subjects; and under the pressure of this perilous conjuncture the Parliament has been suddenly assembled, and the Militia embodied.

" The existence or extent of these evils since they have been sanctioned, though not ascertained by the authority of Parliament when assembled, we have not upon the present occasion assembled to debate. But we may, without Sedition, congratulate our Fellow-subjects, that our Ministers had the vigilance to detect those *numerous and bloody* Insurrections, which otherwise might have *secreted themselves*, and passed *unknown and undiscovered*; and that without the punishment of a single individual, for any Overt Act of Treason, the People have recovered all that tranquillity and respect for the Laws which they appeared to us to have equally possessed at the time when the alarm burst forth.

" That large classes of the Community should nevertheless give faith to the assertions and acts of a *responsible* Government, is neither to be wondered at nor disapproved. When the English Constitution is authoritatively represented to be in danger, we rejoice in the enthusiasm of Englishmen to support it. When that danger is further represented to have been caused or increased by the circulation of treasonable and seditious Writings, we acknowledge that it is the duty of every good Citizen in his proper sphere, and by proper means to discountenance them, and nothing is further from the intention of this Meeting than to hold up to public disapprobation such individuals, as from honest motives, have joined Associations even though they may in their zeal have shot beyond that line of exertion which we (mistakenly, perhaps, but conscientiously) conceive to be the safe limitation of assistance to Executive Government by Private Men.

" We assemble neither to reprehend, nor to dictate to others, but from a principle of public duty to enter our
solemn

solemn protest against the propriety or justice of those Associations, which by the contagion of example are spreading fast over England, supported by the Subscriptions of opulent men for the avowed object of *suppressing and prosecuting* Writings : more especially when accompanied with rewards to Informers ; *and above all*, when these rewards are extended (of which there are instances), to question and to punish opinions delivered even in the private intercourses of domestic life ; unmixed with any act or manifested intention against the authority of the Laws.

“ We refrained at our former Meeting from pronouncing these proceedings to be illegal and punishable, because we must receive the rule from our Statutes and Precedents of Law, which are silent on the subject ; but we consider them to be doubtful in law, and unconstitutional in principle from the whole Theory, and all the analogies of English Justice.

“ In the first place, we object to them as wholly unnecessary ; and we give this objection precedence, because there ought to be a visible necessity or expediency to vindicate every innovation in the mode of administering the Laws. Supposing then the conjuncture to be what it is by authority represented, the Crown is possessed of the most ample powers for the administration of speedy and universal Justice.

“ If the ordinary Sitzings of the Courts are found at any time to be insufficient for the accomplishment of their jurisdictions, or if even a salutary terror is to be inspired for the general security, the *King* may appoint Special Commissions for the Trial of Offenders.

“ If the Revenue devoted to the ordinary purposes of Criminal Justice should be found insufficient for an unusual Expenditure, Parliament is ever at hand to supply the means ; and no Parliament can be supposed to refuse, or the People be suspected to murmur at so necessary an expence.

“ If information also became necessary for the discovery and conviction of offenders, the Crown may at any time, by its authority, set even Informers in motion.

“ But

“ But under all this awful process, Public Freedom would still be secured, while the Public Safety was maintained. The Crown still acting by its Officers, would continue to be responsible for the exercise of its authority ; and the Community still bound together by a common interest, and cemented by the undisturbed affections and confidences of private life, would be found and pure for the administration of justice.

“ This we maintain and publish to be the Genius of the British Constitution, as it regards the Criminal Law.

“ But when without any State necessity, or requisition from the Crown, or Parliament of the Kingdom, bodies of men voluntarily intrude themselves into a sort of partnership of authority with the Executive Power ; and when, from the universal and admitted interest of the whole Nation, in the object or *pretex*ts of such Associations, the People (if they continue to spread as they have done) may be said to be in a manner represented by them, where is the accused to find justice amongst his Peers, when arraigned by such combinations ? Where is the boasted Trial by the Country, if the Country is thus to become Informer and Accuser ?

“ Where is the cautious distrust of accusation, if the Grand Jury may themselves (or some of them) have informed against the object of it, brought in the very Bill which they are to find, and subscribed for the prosecution of it ?

“ Where in the end is the mild, complacent, relenting countenance of the Jury for Trial—that last consolation which the humanity of England never denied even to men taken in arms against her Laws, if the Pannel is to come reeking from Vestry-rooms, where they have been listening to harangues concerning the absolute necessity of extinguishing the very crimes and the criminals, which they are to decide upon in judgment, and to condemn by their verdicts ?

“ But if these proceedings must thus evidently taint the administration of Justice, even in the Superior Courts, where the Judges, from their independence, their superior learning, and their further removal from common life, may be argued

ed to be likely to assist Juries in the due discharge of their Office—what must be the condition of the Courts of Quarter Sessions, whose jurisdictions over these offences are co-ordinate—where the Judges are the very Gentlemen who lead those Associations in every County and City in the Kingdom, and where the Jurors are either their tenants and dependents, or their neighbours in the country, justly looking up to them with confidence and affection, as their friends and protectors in the direction of their affairs? Is this a trial by an English Court and Jury? It would be infinitely more manly, and less injurious to the accused, to condemn him at once without a hearing, than to *mock* him with the empty forms of the British Constitution, when the substance and effect of it are destroyed.

“ By these observations we mean no disrespect to the Magistracies of our Country. But the best men may inadvertently place themselves in situations absolutely incompatible with their duties. Our natures are Human, and we err when we consider them as Divine.

“ These incongruities arising from this rage of popular accusation, or even of declared popular support to accusations proceeding from the Crown, are not our original observations. We are led to them by the analogies and institutions of the law itself.

“ On this principle, Criminals impeached, not by the People heated with a sense of individual danger, and personally mixing themselves with the charge and the evidence, but, impeached by the House of Commons, representing them, are tried, from the necessity of the case, by the Lords, and not by the Country. This anomaly of justice arose from the humanity and wisdom of our ancestors. They thought, that when the complaint proceeded not from the Crown, whose acts the people are accustomed to watch with jealousy, but from the popular branch of the Government, which they lean towards with favour, it was more substantial justice to the meanest man in *England*, to send him for trial before the Lords, though connected with him by no common interest; but, on the contrary, divided by a separate one, that to trust him

him to a Jury of his Equals, when the people from which it must be taken was even in *theory* connected with the prosecution, though totally unacquainted, in fact, with its cause, or with its object.

" We appeal with confidence to the reason of the Public, whether these principles do not apply, by the closest analogy to the proceedings which we assemble to disapprove. For as criminal jurisdictions are local, the offence must be tried in the country, and frequently in the very town where it is charged to be committed; and thus the accused must not only stand before a Court infected by a *general prejudice*, but in a manner disqualified by a *pointed and particular passion and interest*.

" We have further to remark, that these objections to popular associations or the prosecution of crimes, apply with double force when directed against the Press, than against any other objects of criminal justice which can be described or imagined.

" Associations to prosecute offences against the Game Laws, or frauds against tradesmen (which we select as familiar instances) though we do not vindicate them, nevertheless distinctly describe their objects, and in suppressing illegal conduct, have no immediate tendency to deter from the exercise of rights which are legal, and in which the Public have a deep and important interest.

" No unqualified person can shoot or sell a Hare, or a Partridge, as long as a monopoly in Game is suffered to continue, without knowing that he transgresses the Law; and there can be no difference of judgment upon the existence, extent, or consequence of the offence. The trial is of a mere fact. By such Associations, therefore, the Public cannot be stated to suffer further than it always suffers by an oppressive system of Penal Law, and by every departure from the due course of administering it.

" In the same manner, when a Swindler obtains goods on false pretences, he cannot have done so from error, the act is decisive of the intention; the Law defines the crime with positive precision; and the trial is in this case therefore only the investigation of a fact; and in holding out terrors to Swindlers, honest men are in no danger, nor

does the Public suffer further than we have above adverted to.

" These Associations besides, from their very natures, cannot be so universal, as to disqualify the country at large by prejudice or interest from the Office of Trial. They are bottomed besides, particularly the last (which is a most material distinction) upon crimes, the perpetration of which are injurious to individuals *as such*, and which each individual in his own personal right might legally prosecute. Whereas we assemble to object to the popular prosecution of those *public* offences which the Crown, if they exist, is bound in duty to prosecute by the Attorney General, where no individual can count upon a personal injury; and where the personal interest of the subject is only as a Member of that Public, which is committed to the care of the Executive Authority of the Country.

" The Press, therefore, as it is to be affected by Associations of individuals to fetter its general freedom, *wholly unconnected with any attack upon private character*, is a very different consideration; for if the nation is to be combined to suppress writings, without further describing what those writings are, than by the general denomination—*seditions*; and if the exertions of these combinations are not even to be confined to suppress and punish the circulation of books, *already condemned by the judgments of Courts*, but are to extend to whatever does not happen to fall in with their private judgments:—if every writing is to be prosecuted which they may not have the sense to understand, or the virtue to practise:—if no man is to write but upon their principles, nor can read with safety except what they have written, least he should accidentally talk of what he has read;—no man will venture either to write or to speak upon the topics of Government or its Administration—a freedom which has ever been acknowledged by our greatest statesmen and lawyers to be the principal safeguard of that Constitution, which liberty of thought originally created, and which a FREE PRESS for its circulation gradually brought to maturity.

" We will therefore *maintain and assert* by all legal means this sacred and essential privilege, the Parent and Guardian

Guardian of every other. We *will maintain* and *assert* the right of instructing our fellow-subjects by every sincere and conscientious communication which may promote the the public happiness; and while we render obedience to Government and to Law, we *will* remember at the same time, that as they exist by the People's consent, and for the People's benefit, they have a right to examine their principles, to watch over their due execution; and to preserve the beautiful structure of their Constitution, by pointing out as they arise, those defects and corruptions which the hand of Time never fails to spread over the wisest of human institutions.

"If in the legal and peaceable assertion of this Freedom we shall be calumniated and persecuted, we must be contented to suffer in the cause of Freedom, as our father's before us have suffered; but we will, like our father's, also persevere until we prevail.

"Let us, however, recollect with satisfaction, that the Law as it stands at this very moment, (thanks to our illustrious patriot, Mr. Fox,) is amply sufficient for the protection of the Press, if the Country will be but true to itself. The extent of the genuine Liberty of the Press on *general* subjects, and the boundaries which separate them from licentiousness, the English Law has wisely not attempted to define; they are, indeed, in their nature undefinable; and it is the office of the Jury alone, taken from the County in each particular instance, to ascertain them, and the trust of the Crown, where no individual is slandered, to select the instances for trial by its Ministers, responsible to Parliament.

"This system appears to us amply to secure the government, while it equally protects the Subject; but if this selection is to be transferred to self-constituted Assemblies of men, agitated by a zeal, however honest the Press must be broken up, and individuals must purchase their safety by ignorance and silence.

In such a state, we admit that the other Liberties, which we enjoy under the Laws, might nevertheless continue as long as Government might happen to be justly administered; but should corruption or ambition ever direct their

efforts against them, the Nation would be surprised and enslaved—surprised by the loss of their wakeful Sentinels, whom they had shot for only being at their posts, and enslaved from the loss of their armour, which their adversary, under the pretence of a Treaty, had cajoled them to throw away.

“ But these evils become not only greater, but absolutely intolerable, when extended to the stimulation of Spies to stab domestic peace, to watch for the innocent in the hours devoted to convivial happiness, and to disturb the sweet repose of private life upon the bosom of friendship and truth.

“ It is justly observed by the celebrated Judge Forster, that words are transitory and fleeting, easily forgotten, and subject to mistaken interpretations: their very existence at all, and their criminality, as depending upon context, or sequel, or occasion—all is to rest on the oaths of hired Informers. Is this in the end of the 18th century to be the condition of our cheerful country? Are these to be our chains? And are we, after we have broken them on the heads of tyrants in former ages, to sit down to forge them again for ourselves, and to fasten them on one another?

“ Our last, and not the least objection to popular accusation, is the love we bear to the Government of *England*, and our wish that its functions may be perpetual: it being our opinion, as expressed in our Seventh Resolution, at our former Meeting.

“ That a system of Jealousy and arbitrary coercion of the People has been at all times dangerous to the stability of the English Government.”

“ For the truth of which we appeal to Human Nature in general, to the characteristic of Englishmen in particular, and to the history of the Country.

“ In the career of such a system of combination, we foresee nothing but oppression; and when its force is extinguished, nothing but discontent, disobedience, and misrule.

“ If Government permits or countenances this distribution of its Executive Powers, how is it to resume them should opinions change, and run the other way? From

the

the artifices and ambition of designing men, the best Governments may, for a season, be unpopular, as we know from experience, that the very worst may triumph for a while by imposture. Should such a change of opinion arrive, as in the nature of things it must, the Administration of Government and Justice will be distracted and weakened. It will be in vain to inculcate that subjects may persecute one another by combination, but that they must not combine for their common defence. And as in this unnatural tide of flood, no man may expect to be acquitted, however he may love his Country; so in the ebb of the same tide, equally unnatural, it may be difficult to bring to conviction even those who may be plotting its destruction. Against both these departures, from the even and usual course of justice, and all their consequences, we *equally*, and with an *impartial* spirit protest.

“ When we consider the great proportion of the Community, that has already *hastily* sanctioned the proceedings which we dissent from, the great Authority that countenances them, the powerful influence which supports them, and the mighty revenue raised upon the people, which through various channels rewards many of those who lead the rest, the difficulties which this Address has to encounter; and judging of man from his nature and his history, we expect no *immediate* success from our interposition. But we believe that the season of reflection is not far distant, when this humble effort for the Public will be remembered, and its authors be vindicated by the People of Great Britain.”

(Mr. ERSKINE, who had been frequently interrupted by the loudest applause, concluded with the most joyful and unbounded acclamations of the whole company.)

Mr. Sheridan bestowed the highest encomiums upon the unremitting zeal and patriotic efforts of Mr. Erskine. The very able and eloquent paper which they now had the happiness to hear read by the author himself, contained political opinions so strongly enforced, and displayed the
truth

truth in so handsome and irresistible a form, that the whole Society had but one sentiment as to its merits. He agreed with his Hon. Friend in every syllable now advanced. It was an admirable protest, and might serve to convey to the world the Principles of the Society. He therefore recommended it to be adopted by the Meeting as their Declaration. The Learned Gentleman now appeared in a new and honourable character; and while he gave a proof of his manly firmness, he acted with peculiar delicacy and moderation. When these sentiments were announced, the world would be convinced, that the Friends of real Freedom were not to be subdued or overawed by the wretched artifice of Government. The present Meeting had been treated by Administration, not with levity, but alarm. They would however, be soon fully persuaded, that their juggling plan of policy could no longer be concealed; that their appeal to the Rabble would not avail; and that the People could not dread thunder while the sky was clear. In short, that their deceptive measures would soon be exploded; and that the good sense of Englishmen would revolt at violated Rights and expiring Liberty. With regard to the Author of the excellent Paper, he begged leave to say a few words. The new character which he now acted must afford the most lively sensations. If private Individuals rejoiced when Mr. Erskine stood forward as their Advocate, how much more must that pleasure be increased, when he now appeared as the Advocate of the Nation at large! retained by the honourable impulse of his heart, and rewarded by the affections of the People! He volunteered his transcendent talents, in the most disinterested way. Scorning a brief or fee, he courted no other reward than the applause of his Fellow Citizens—he had no other object in view than the good of Mankind. This pursuit was the noblest gratification of a great and a good mind. Convinced of the Truths contained in the inestimable Paper, he moved, that it should be adopted as the Creed or Declaration of the Society; that it should be published to the World at large as their Protest against the Associations; and that the

Members

Members of those Clubs be permitted to answer it—if they can.

Mr. Courtenay seconded the motion. He approved very much of the manly and noble sentiments contained in Mr. Erskine's Declaration; and said, that when so great a portion of ingenuity had been displayed, it would ill become him to trespass on the patience of the company by any remarks of his own.

Mr. Erskine very politely thanked the Meeting for the flattering approbation which he now experienced. In his present capacity, he was undoubtedly bound to obey them by putting the question proposed. The situation, he confessed, was rather awkward; but it was his duty to attend to their injunctions. He mentioned, that as their Chairman, he would himself sign it, if they desired; and if any faults appeared in the Declaration, they were imputable to the Author only, and could not be attributed as an injury to the cause.

The question was *unanimously carried*, the whole Company exclaiming, as if with one voice—"ALL!"

It was then proposed, that the Signatures, Designations, and Places of Abode of those present should be added to the Declaration.—This Motion was also carried with similar unanimity: and so ardent were many Gentlemen in the Cause, that they insisted on signing before they retired to Dinner.

The Book was signed by the Chairman, and left for signatures.

The company then went to dinner, and between eight and nine hundred persons were amply accommodated; and more than a thousand Gentlemen, who had not taken care previously to secure tickets, were obliged to retire. The day was passed with that warmth of enthusiasm and festivity which men, animated by a good cause, constantly feel when thus assembled:

The first toast was in respect to the object of the day's meeting—

The Liberty of the Press—

To which Mr. Grey begged leave to add, as a further recommendation—

Together with its most shining Advocate Mr. ERSKINE.
Mr.

Mr. Erskine made a short but eloquent return of thanks. He rejoiced in the zeal and patriotism which now appeared among many distinguished characters; and had no doubt but they would be honoured with stations of eminency. In the course of his speech, he took notice of a wretched hand-bill which had been flung among the company by some of the Emissaries of the hired Associators below stairs.—“ You see, Gentlemen, that the Press may be too diligently watched, and too hastily accused. No sooner are we convened, than the Drudges of the Ministry attempt to annoy us—They begin to answer us, before they know the principles which we avow—These Associators may amaze all, and stumble many—but I hope the great Engine of the Press will recoil upon their own guilty heads. I mention this pitiful effusion of malignity, only to declare my contempt. Let these associators collect such a company as I now see in this room; here is my answer to their malevolence “ My bane and antidote are both before me.” Mr. Erskine in the course of an eloquent Address, bestowed a warm eulogium on Mr. Fox, who was truly to be regarded as the Patron of all that we could now boast on the subject of the Liberty of the Press, and he concluded with giving as a toast,

Mr. Fox.—The Rights of the People.

After this Captain Morrice sung one of his patriotic songs, the flame of which so enraptured the Company, that they drank its burthen as a toast,

The Press—with Fox and Liberty.

A full and free Representation of the People in Parliament.
To which Mr. Sheridan begged leave to add the name of *Mr. Grey.*

Mr. Grey delivered an admirable speech of thanks, in which he announced the glorious conquest which the Irish people had obtained over the Ministerial faction by their firmness and spirit. Having pronounced their sense with so manly a voice, a letter from Ireland, received that day, informed a friend of his then in the room, that the House of Commons had agreed to go into a Committee of the whole House, three weeks after, on the state of the Representation. As it happened in Ireland it would happen in England. Let the people be firm and united—

Let

Let them declare their sense of what was necessary, and they must obtain it. They saw the consequences of union. In the commencement of last year he appealed to the Company, whether they did not consider Great Britain to be in a state of the most profound tranquillity;—the Revolution passing on the Continent could do no more than excite the curiosity or observation of Englishmen. There was nothing to seduce there was nothing to imitate. But as the imperfect state of parliamentary Representation had for a long time occupied men's minds, and some steps had been taken, which were likely to produce a Reform, the corrupt Administration of the day sought a pretext in the Continental Disturbances, and sounded an alarm for which there was no real foundation. He augured well of the present numerous assemblage; and was resolved to persevere in his intended Motion for a Parliamentary Reform; but in these times, when the sphere of anxiety was daily more and more enlarged, the People themselves ought to be firm and unanimous. It was from their energy—It was from the voice of the People, and not from that of a corrupt House of Commons, that they could expect a Parliamentary Reform. Let them openly declare their sentiments. They will then no longer be the victims of venal and perfidious Associations. They will then no longer be objects of derision to their enemies, nor of melancholy pity to their friends.

In Ireland the people had declared themselves, and Parliament had yielded.—Here where there was no alarm, and where men had not even united to declare their Rights, Proclamations, Associations, and attacks of every kind on the dearest Rights of the People, had been successfully practised.—Why was not even that Company attacked?—Because, like the Irish, it was too respectable, too formidable to be attacked; but if it had been a meeting of obscure individuals, from whom nothing could be apprehended, then they should have had the seditious tendency of the meeting announced by the interference of the military, and perhaps some Lord Mayor would have come in person to disperse them.

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Mr.

Mr. Sheridan, the steady opposer of the Excise Laws.

Mr. Sheridan, in answer, displayed his usual elegance and vigour of expression. The day was truly auspicious; for the animation evinced by the numerous body was a sure proof that the day of delusion and apathy was past. It was not to the forms of the Constitution, but to the divine energy of Englishmen, determined to maintain its principles, that he could trust for the preservation of all that was dear to us. This he had seen that day, and that Meeting would shew Government that they were detected. The frauds and artifices that had deluded the multitude were made known. The mask was pulled off; and never, he believed, was there so gross and so coarse an insult on the understandings of men practised before. He rejoiced in what his Honourable Friend had announced from Ireland. He gloried in being a native of that country, because Irishmen were daily giving to England lessons and examples of spirit which they ought to follow. Ireland had determined to enquire—That, in his mind, was triumph; for to enquire into the state of representation, either in England or Ireland, was to prove the monstrous condition in which the two kingdoms were held. Conviction must follow, and it was said of truth that it was of itself so beautiful as to require only to be seen to be admired, so of vice the aspect was so hideous as to create certain disgust on being exposed. He praised Mr. Fox for his political intrepidity; and assured the Meeting, that although absent, he approved of the Declaration, and was very well disposed to promote the grand object for which they were convened. It was neither the Trial of Jury, nor the Liberty of the Press, which could alone secure our Freedom. It was the laudable vigilance and manly endeavours of the people. In the proceedings of the day, there was no miscreant of corruption so mean and daring as to stand up in the Assembly, and tell them that they were represented in Parliament. Since he had the ——— (*His tongue slipped.*) —Since he had the honour of a seat in the House of Commons, he had constantly maintained the doctrines which he now avowed. In speaking of the few men who stood up for the people in the House of Commons, and who

who had been called a *phalanx*, for himself, he said, he cared not how few their numbers might be. Let them only be supported by the people, they should prove, however small, too powerful for the mercenary army on the other side, even if that army should be recruited by ten times the number of deserters that had lately left them.

The fifty-two Members of the House of Commons, who have not deserted the cause of the people.

Captain Morrice here sung the beautiful composition which he had made for the anniversary of Mr. Fox's birth, and which was received with rapturous acclamations.

I will now give you, said Mr. Erskine,

The hereditary Patriot, Mr. Byng.

Mr. Byng returned thanks in his usual plain and modest style, and begged he might ever be judged rather by his actions than by his professions. He proposed that they should dine again that day four weeks; and that Mr. Sheridan should be requested to take the Chair.

Mr. Horne Tooke was averse to so long an adjournment; and thought, that before they separated, they should adopt some measure of an effectual nature, to convince the world of the Society's sincerity. He expressed his warmest approbation of the proceedings; and declared that he had lived thirty years to see that day. In whatever light he considered these exertions, he found every thing to praise, and nothing to blame. In the people of this country he knew there existed an in-born spirit of Freedom—a principle of Liberty which sooner or later must be fully established. He censured Mr. Erskine's prediction—that the part which Gentlemen of rank were taking in the present object, would lead them to the first offices and stations in the country. While they congratulated each other on their apparent success—while they were unbounded in their praises of the gallant Leader, who had brought them to the field of action.—They should at the same time recollect the unhappy victims who were now languishing in gaols, and suffering by the Tyrants of the Press. They should not direct their views to the principal actor upon the scene only, lest they might be suspected of acting in the manner of officers, who, after a successful

battle, retired to their tents to compliment the General upon his gallantry, perfectly regardless of the bleeding Soldier, whose active valour produced the victory. He rejoiced in the Revolution of France—He rejoiced in the Revolution which we had adopted in 1668.—But he condemned our Constitution in its present corrupt state. In the conduct of Legislation, there was scarcely any thing so essential as that the leading parties should be watchful of themselves. The question naturally arose—*Quis custodit custodes?* The people alone must be their own guardians; and he was happy to find so auspicious a prospect of their undertaking that charge. The Meeting should take care not to imitate, what otherwise would be the best example, the wisdom of God himself, who made man with *two hands*, that the one may *wash* the other; they should not make use of this opportunity to elevate any particular set of men to those situations for which they had long been panting. After a variety of desultory observations, he concluded with expressions of attachment to the existing Constitution, when properly amended. He would not err on the same side with the Reformers of a former period, who having *Hell* and *Purgatory* before them, thought proper to adopt the former, and reject the latter. His wish was to purify, not to alter the Constitution of the country.

Mr. Sheridan, in reply, deprecated any thing which may tend to create suspicion or jealousy amongst a set of men embarked in a cause—the success of which depended so much upon their unanimity. He confessed, that with this only exception, Mr. Tooke's speech contained not a sentence to which he could not readily assent. He was very well convinced that Mr. Tooke meant well for the cause of Public Liberty; and yet, when he considered how manly a mind that Gentleman possessed, he could not, without some degree of surprise, observe the endeavours he made to produce jealousy and discontent. It was extremely unhandsome to put a false interpretation on the words of the honourable Chairman, who when he said, that supporting the Rights of the People would lead them to the highest stations, only meant such stations as he then held—that of presiding at so respectable and nu-

merous

merous a meeting—a station which he conceived to be the highest and most glorious a man could attain. This was a stratagem which a potent and a generous enemy—and he was apt to believe Mr. Tooke was generally such—would carefully avoid. But the public would well recollect the wide difference between those men with whom Mr. *Sheridan* had the honour of acting, and Mr. *Tooke*, for whose abilities no man had a higher respect. Although he highly respected his talents, yet he was sometimes doubtful as to the proper application of them. When there was no cause of fear—when the political sky indicated no storm—when, in fact, from every view, tranquillity presented itself—then we were menaced with the mighty nothings of certain men—then we were annoyed by the thunder of the ingenious Gentleman's eloquence. The hour of danger, however, arrived. Those heroes who appeared armed for the combat—who challenged the enemy to the field, were at once unnerved—deserted the standard which they had reared—and fled and shrunk into their lurking holes, regardless of their own honour, or the liberties of the people. So far had Mr. Tooke, and those with whom he acted, evacuated their post—so far had he receded from his duty to the Public. Had Mr. Fox, Mr. Grey, Mr. Erskine, or their firm friends, conducted themselves with similar ignominy?—No; they came boldly forward, in the extremity of danger, to vindicate the rights of mankind. And those very men whom Mr. Tooke had before *branded* with *moderation*, were the only supporters of our present liberty, and to whose manly efforts he was perhaps now indebted for the privilege of delivering his sentiments in public. Although the bubble of credulity had for some time prevailed, yet they had nobly dared to expose and deride it, and to defend the province of rational freedom with a generous spirit and an honest heart.

Mr. Rous praised the principles of our Constitution; declared his firm attachment to the form of Government, but lamented the abuses which had stolen into both, and which had rendered a Reform in the House of Commons absolutely necessary; yet while he asserted the necessity of Reform,

Reform, he deprecated a Revolution ; and condemned the wild theories of some men, which must produce confusion and misery, if attempted to be put in practice.

Mr. Horne Tooke and Mr. Grey both attempted to speak at the same time. The clamour for both was great, and continued some minutes. The majority firmly supported the Chair. At last Mr. Tooke desisted ; but just as he had descended, the Table was overset, by the great pressure of the crowd ; this occasioned some little confusion ; but harmony was soon restored on Mr. Tooke's going to the top of the room, and seating himself by the Chairman, who received him with politeness, and having obtained silence, requested Mr. Tooke might be heard.

Mr. Tooke then proceeded to answer some allusions that had fallen from Mr. Rous. He expressed his attachment to the British Constitution ; but could not help at the same time to express his attachment to the late Revolution in France. He again avowed his warmest approbation of the proceedings of that day, and disclaimed all intention of exciting suspicion or discontent against those who had promoted it. He admired and applauded their zeal, and should the enemies of Reform persist in their opposition, he trusted the People would insist on their Rights. He himself was too old to take an active part ; but should the struggle become serious—which he hoped would be prevented by a timely Reform—he would sit down, and pray for those who did.

Mr. Grey entered into a warm and masterly defence of those with whom he acted. In his censure of Mr. Tooke's insidious conduct, he was more vehement than Mr. Sheridan. He condemned Administration for betraying the Country into the present dreadful dilemma. With the utmost indignation he beheld their power ; with the utmost impatience he tolerated their arrogance. If, which God forbid any struggle should arise, he could not speak with the ignominious indifference of Mr. Tooke—he could not remain a silent and an inactive spectator.

Mr. Tooke afterwards repeated his approbation of the of the Meeting ; and in some degree pledged himself to give his aid for the grand object they professed.

Mr.

Mr. Erskine, Mr. Sheridan, Mr. Grey, and their friends, declared themselves enemies to all public outrages or violence. The Constitution pointed out the means of all the Reform they wanted; and as to the proposition of Mr. Tooke in favour of those, who were supposed to be presented, the only Constitutional means that they knew of, was to make a voluntary subscription to promote the object of the Friends to the Liberty of the Press.

After a good deal of further conversation, the company returned to the proper pleasures of the afternoon, when their mirth was enlivened by the muse of Captain Morrice, and their patriotism raised by the toasts from the chair till a late hour.

☞ Mr. Sheridan takes the Chair that day four weeks.

THE END.

THE RESOLUTIONS

19 SE 68
OF THIS

SOCIETY,

At their First Meeting, December 22d, 1792,

With the SPEECH

OF THE

Hon. THOMAS ERSKINE,

THE BARRISTER

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